

# SUTTS, STROSBERG

LAWYERS

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Licensed to practice law in the District  
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March 3, 2010

Our file: 73.149.000

**Sent by fax to:**

Hon. Paul D. Borman  
Hon. R. Steven Whalen  
United States District Court  
for the Eastern District of Michigan  
Theodore Levin U.S. Courthouse  
231 W. Lafayette Blvd., Room 673  
Detroit, MI 48226  
T: 313.234.5115  
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RE: McNulty v. Reddy Ice Holdings, Inc., et al., Case No. 08-cv-13178 (E.D. Mich.)

Dear Judge Borman  
and Judge Whalen:

This correspondence concerns the Canadian movant's Motion to Intervene #128. Much has transpired with certain parties in the related criminal proceedings since the filing of the Motion to Intervene #128. Yesterday, the Canadian movant re-filed an antitrust class action statement of claim adding Reddy Ice Holdings, Inc. and Keith E. Corbin as defendants in the Canadian litigation. For this and related reasons, we will be withdrawing the Motion to Intervene #128. This decision does not, however, foreclose the possibility that we will re-file the motion to intervene at a future date.

Respectfully yours,



Andrew J. Morganti

AJM/sw

#785807

Dictated but not read

## **CERTIFICATE OF SERVICE**

I hereby certify that on March 3, 2010, I electronically filed the foregoing Letter to Withdraw the previously filed Motion to Intervene, Dkt. #128, with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

- David H. Bamberger
- Lisa A. Brown
- Anthony T. Chambers
- Pamela C. Dausman
- Eric Enson
- David A. Ettinger
- Mark H. Hamer
- Melissa B. Hirst
- Howard B. Iwrey
- Daniel A. Kotchen
- Daniel L. Low
- Laurence S. Lustberg
- Scott L. Mandel
- Jennifer Mara
- James R. Nelson
- Andrew A. Paterson, Jr.
- Johyn B. Pinney
- Paul W. Render
- Michael a. Roberts
- Peter Silverman

/s/ Andrew M. Morganti

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